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FILED

JUN - 5 2012

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13
14 UNITED STATES OF AMERICA) No. 4-12-MJ-70420
15 v.)
16 PAUL STEVENSON,) STIPULATION AND [PROPOSED]
17 Defendant.) ORDER DOCUMENTING WAIVER
18 _____)

19 With the agreement of the parties, and with the consent of the defendant, the Court enters
20 this order vacating the preliminary hearing date of June 6, 2012, setting a new preliminary
21 hearing date for June 27, 2012, at 9:30 a.m., before the duty magistrate judge, extending the time
22 for the preliminary hearing under Federal Rule of Criminal Procedure 5.1, and excluding time
23 under the Speedy Trial Act to June 27, 2012. The parties agree and stipulate, and the Court finds
24 and holds, as follows:

25 1. The defendant, Paul Stevenson, was charged in a complaint dated April 13, 2012
26 with violating 21 U.S.C. §§ 846 (conspiracy to distribute a controlled substance) and 841(a)(1)
27 (distribution of cocaine base). Stevenson was arrested on or about April 17, 2012, and presented
28 to the Court on April 18, 2012. On April 19, 2012, Jennifer Schwartz, Esq., was appointed to

1 represent Stevenson. On April 25, 2012, Stevenson was initially ordered detained, but on May
2 25, 2012, was ordered released to a half-way house.

3 2. Since the appointment of counsel, the parties have been trying to resolve this
4 matter prior to the filing of indictment. These discussions, however, require more time than the
5 presently-scheduled June 6, 2012 preliminary hearing allows. In particular, the parties are trying
6 to assess the defendant's criminal history, which will impact any potential disposition.
7 Accordingly, the parties respectfully requests that the June 6, 2012 preliminary hearing be
8 continued until June 27, 2012, in order to allow the parties additional time to work toward a
9 disposition.

10 3. Taking into the account the public interest in the prompt disposition of criminal
11 cases, the above-stated ground is good cause for extending the time limit for a preliminary
12 hearing under Federal Rule of Criminal Procedure 5.1, for the filing period for an indictment, and
13 for excluding time under the Speedy Trial Act. Failure to grant the continuance would deny the
14 defense time for effective preparation and representation by seeking disposition of this matter
15 prior to indictment on agreed-upon terms.

16 4. Accordingly, with the consent of the defendant, the Court hereby: (a) vacates the
17 June 6, 2012 preliminary hearing date and extends the time for a preliminary hearing until June
18 27, 2012, before the duty magistrate judge, at 9:30 a.m.; and (b) orders that the period from today
19 until June 27, 2012 be excluded from the time period for preliminary hearings under Federal
20 Rule of Criminal Procedure 5.1 and from Speedy Trial Act calculations under 18 U.S.C. § 3161.

21 SO STIPULATED:

22 DATED: June 4, 2012

/s/
JENNIFER SCHWARTZ, ESQ.
Attorney for PAUL STEVENSON

24 DATED: June 4, 2012

/s/
W.S. WILSON LEUNG
Assistant United States Attorney

26 IT IS SO ORDERED.

27 DATED: June 5, 2012


HON. KANDIS A. WESTMORE
United States Magistrate Judge